

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4751 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioner/accused seeking to reduce the surety amount of Rs.2,00,000/-, as directed by the IX Metropolitan Magistrate, Cyberabad, Kukatpally *vide* order, dated 9.11.2015, in CrI.M.P.No.3002 of 2015 in C.C.No.1323 of 2014.

2. Heard and perused the material available on record.
3. The offence alleged against the petitioner is punishable under Section 498-A I.P.C.
4. *Vide* impugned order, the trial Court allowed the petition filed by the petitioner for return of original Indian Passport bearing No.H4123726 deposited before that Court and directed the office to return the passport on condition of the petitioner executing a personal bond for a sum of Rs.2,00,000/- with one surety and further, directed the petitioner to appear before the Court regularly during trial.
5. Learned counsel for the petitioner submitted that the petitioner is an unemployee and hence, he cannot oblige the condition of depositing Rs.2,00,000/- with one surety and hence, he prays to reduce the surety amount.
6. Considering the facts and circumstances of the case, this Court is of the view that the surety amount is onerous in nature. Hence, the petitioner is directed to execute a personal bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with one surety for a like sum to the satisfaction of the IX Metropolitan Magistrate, Cyberabad.
7. Accordingly, the Criminal Petition is disposed of. Miscellaneous

petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

6.4.2016

AMD

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